

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON

WILLIAM T. GERHART,

Plaintiff,

v.

MID-VALLEY METALS, LLC,

Defendant,

6:16-cv-02379-TC

SETTLEMENT CONFERENCE  
SCHEDULING ORDER

Settlement Conference is set for 1/30/2018 at 9:00AM in Eugene Chambers, before Magistrate Judge Jolie A. Russo. **Presence of all parties with settlement authority is required.** This includes anyone who will have input on the decision of whether or not to settle the case, such as a spouse, parent, or any other adviser who may be relied on for advice. All settlement conferences invariably involve a negotiating process, the sifting of facts, the analysis of legal issues, and the candid evaluation of the strengths and weaknesses of a party's case, along with a realistic appraisal of the anticipated gains from further litigation balanced against the risks associated with that litigation.

Parties are ordered to submit a Settlement Document to the Court by 04:30PM on 1/23/2018, in which they make realistic proposals of what they are willing to offer or accept to resolve this case. PLEASE SEE ATTACHED INSTRUCTIONS REGARDING THE SETTLEMENT DOCUMENT.

**Any party who, without prior Court approval, fails to have all persons with settlement authority present may be subject to sanctions. Such sanctions may include costs and attorney fees of the other parties attending the Settlement Conference.**

Dated this 28th day of December 2017.

s/Jolie A. Russo

JOLIE A. RUSSO

United States Magistrate Judge

## **PREPARATION FOR SETTLEMENT CONFERENCE**

All communications made in connection with the Settlement Conference are confidential and will not be disclosed to anyone. Any documents requested and submitted for the Settlement Conference will be maintained in Chambers.

In preparation for the Settlement Conference, the attorneys for each party should submit the following:

1. A brief analysis of key issues involved in the litigation.
2. A description of the strongest and weakest points in your case, both legal and factual.
3. A description of the strongest and weakest points in your opponent's case, both legal and factual.
4. The status of any settlement negotiations, including the last settlement proposal made by you and to you.
5. The settlement proposal you believe would be fair (including a specific amount).
6. The settlement proposal that you would be willing to make in order to conclude the matter and stop the expense of litigation (including a specific amount).
7. The method in which this case became scheduled for the Settlement Conference, i.e., ordered by a judge, requested by the parties, etc.

These documents should be submitted to Chambers by 4:30 PM on 1/23/2018.

**The settlement submission must be e-mailed to:**

**russo\_settlement@ord.uscourts.gov**

Thank you for your cooperation in this matter.

Hon. Jolie A. Russo  
U. S. Magistrate Judge  
405 East Eighth Avenue  
Eugene, Oregon 97401  
Fax No. (541) 431-4139